



PUBLIC NOTICE

Federal Communications Commission
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DA 11-193
Released: February 1, 2011

DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL OF YOURTEL AMERICA, INC.

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 11-11

Comments Due: February 15, 2011
Reply Comments Due: February 22, 2011

On January 13, 2011, YourTel America, Inc. (YourTel) filed an application pursuant to section 63.03 of the Commission's rules¹ to request authority to transfer control of YourTel to a group of four controlling shareholders: the Richard Paul Yurich Revocable Trust dated June 11, 2008, as amended and restated (Yurich Trust), an Oklahoma trust; The Jason G. Hirzel Trust Dated December 20, 2008, as amended and restated (Hirzel Trust), an Oklahoma trust; Jeffrey L. White Revocable Trust dated September 1, 2010 (White Trust), an Oklahoma trust; and David A. Garza, a U.S. citizen.

YourTel, a Missouri corporation, provides prepaid local, long distance, and wireless services to business and residential customers in Kansas, Missouri, Oklahoma, and Illinois. The three following U.S. citizens hold voting and equity interest in YourTel: David A. Garza (80 percent), Paul N. Hicks (10 percent), and Dale R. Schmick (10 percent). No other entity or individual holds a 10 percent or greater ownership interest in YourTel at present.

The trustee of the Yurich Trust, Mr. Hirzel, and the trustee of the Hirzel Trust, Mr. Yurich, each own controlling interest in TerraCom, Inc. (TerraCom) and MexTel Corporation d/b/a LifeTel (LifeTel). TerraCom provides prepaid local, intrastate, and interstate telecommunications services to low-income residential customers in Oklahoma and Texas. LifeTel provides prepaid local, intrastate, and interstate telecommunications services to low-income residential customers in Oklahoma. YourTel will be an affiliate of TerraCom and LifeTel post-consummation.

YourTel, Mr. Garza, Mr. Hicks, and Mr. Schmick have entered into an agreement to sell stock in YourTel to four shareholders. This sale dilutes the interests of Mr. Garza, Mr. Hicks and Mr. Schmick and result in the proposed transfer of control of YourTel. The Yurich Trust will hold a thirty-four percent ownership interest in YourTel post-consummation. The beneficiaries of the Yurich Trust are Jennifer Renee Yurich, Rylee Yurich, Ryan Yurich, and Cruz Yurich, all U.S. citizens. The Hirzel Trust will hold

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants also filed an application for transfer of control associated with authorizations for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other pending applications.

a nineteen percent ownership interest in YourTel after consummation of the sale of stock. The beneficiaries of the Hirzel Trust are Kelley Jo Hirzel, Hayden Grant Hirzel, Landen Wayne Hirzel, and Kellen Jase Hirzel, all U.S. citizens. The White Trust, will hold a ten percent ownership interest in YourTel after closing. Jeffrey White, a U.S. citizen, is the trustee and the beneficiary of the White Trust. Post-consummation, David A. Garza will hold a twenty-seven percent ownership interest in YourTel. Mr. Garza is currently the Chairman and President of YourTel. No other person or entities will hold a (10 percent) or greater ownership interest in YourTel. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.²

Domestic Section 214 Application Filed for the Transfer of Control of YourTel
America, Inc., WC Docket No. 11-11 (filed Jan. 13, 2011).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before February 15, 2011**, and reply comments **on or before February 22, 2011**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.³ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking Portal. *See* 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal e-Rulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, e-mail one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, tracey.wilson@fcc.gov;

² 47 C.F.R. § 63.03(b)(2)(i).

³ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

- 3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, dennis.johnson@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: (202) 488-5300; fax: (202) 488-5563; e-mail: fcc@bcpiweb.com; url: www.bcpiweb.com.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

For further information, please contact Tracey Wilson at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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